

# Memorandum

To: CHAIR AND COMMISSIONERS

CTC Meeting: November 2-3, 2005

Reference No.: 2.8g.  
Action Item

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Chief Financial Officer

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Local Assistance

Ref: **REQUEST FOR WAIVER FOR ASSEMBLY BILL (AB) 1012 SIXTH CYCLE “USE IT OR LOSE IT” PROVISIONS FOR REGIONAL AGENCY APPORTIONED FEDERAL FUNDS WAIVER 05-26**

## **SUMMARY:**

The annual notice to regional agencies for the sixth cycle of AB 1012 “Use it or Lose It” provisions was released on November 15, 2004, with a deadline for obligating balances subject to reprogramming of November 1, 2005. At the September 2005 meeting, the Ventura County Transportation Commission (VCTC) notified the California Transportation Commission (Commission) that they would be submitting an extension request for a Regional Transportation Enhancement Activity (R-TEA) project total.

## **RECOMMENDATION:**

The Department recommends approval of a six-month extension for \$397,281 in R-TEA funds requested by VCTC for sixth-cycle balances subject to reprogramming.

## **DISCUSSION:**

VCTC has been very successful in obligating their federal funds. However, the VCTC has submitted a six-month extension request for R-TEA funds totaling \$397,281 for the Ventura County-Rancho Camulos Restoration project. This project has been delayed due to the unexpected review requirements of the Department and the State Historic Preservation Office (SHPO). The original SHPO review, lasting from May through September of 2003, resulted in a requirement that Ventura County prepare a master plan for the site; a process that required over one year. The project was resubmitted to SHPO in July 2005. At this time, the results of the SHPO review are unknown; therefore, VCTC has requested an extension for the use of its R-TEA balance.

## **BACKGROUND:**

AB 1012 was enacted October 10, 1999, with a goal of improving the delivery of transportation projects. A section of the legislation states that regional agency Congestion Mitigation and Air Quality Improvement (CMAQ) funds and Regional Surface Transportation Program (RSTP) funds that are not obligated within the first three years of federal eligibility are subject to reprogramming by the Commission in the fourth year. The Department of Transportation (Department) is including R-TEA funds under the AB 1012 "Use it or Lose it" requirements as well.

The July 31, 2005 balance reports show total funds subject to reprogramming for the sixth cycle of AB 1012 are approximately \$29 million. Of that amount, \$14 million is for CMAQ, \$9 million is for RSTP, and approximately \$6 million is for R-TEA. Based on preliminary September 2005 numbers, funds now subject to reprogramming for the sixth cycle of AB 1012 are approximately \$4.5 million -- approximately \$868,000 for CMAQ, \$1.3 million for RSTP, and approximately \$2.3 million for R-TEA.